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Sandra Saccoccia

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K. Weddington

COMPANY

USPTO - Art Unit 1614

FAX

703-872-9306

PHONE**FROM**

Monica Gerber, M.D., Ph.D.

NUMBER OF PAGES 22**DATE**

April 5, 2004

CLIENT NUMBER

2002834-0115

PHONE

(617) 248-5071

OPERATOR**TIME SENT****COMMENTS** RE: U.S.S.N. 09/976,963

Dear Examiner Weddington,

As we discussed on the phone last Monday, I am herewith submitting a Petition to Withdraw Application from Issue under 37 C.F.R. 313(c), a Request for Continued Examination, and an Information Disclosure Statement and PTO-1449. We will be sending the cited references by mail shortly.

Best Regards,

Monica

Monica R. Gerber, M.D., Ph.D.

Registration Number 46,724

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APR 05 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**OFFICIAL**Applicant: Caplan, *et al.*

Examiner: Weddington, K.

Serial Number: 09/976,963

Art Unit: 1614

Filing Date: 10/12/2001

Attorney Docket: 2002834-0115
(Yale No. OCR 922)Title: Conductance of Improperly Folded Proteins Through the Secretory Pathway
and Related Methods for Treating DiseaseCommissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

| Certificate of Facsimile Transmission | |
|--|-------------------------|
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| 4-5-04 | <i>Sandra Saccoccia</i> |
| Date | Signature |
| Sandra Saccoccia | |
| Typed or Printed Name of person signing certificate | |

PETITION TO WITHDRAW APPLICATION FROM ISSUE**UNDER 37 C.F.R. §1.313(c)**

A Notice of Allowance in the above case was mailed November 4, 2003, and Applicant submitted the Issue Fee on January 15, 2004. Upon reviewing the file it was determined that an Information Disclosure Statement under 37 C.F.R. § 1.56, 1.97, and 1.98 had not been filed in the case. In accordance with 37 C.F.R. §1.313(c)(2), Applicant therefore respectfully requests withdrawal of the case from issue in order to file a Request for Continued Examination under 37 C.F.R. §1.114. The Request for Continued Examination and an Information Disclosure Statement (IDS) under 37 C.F.R. §1.97 are enclosed herewith. The references listed on the PTO-1449 will follow by mail shortly.

If, at any time, it appears that a phone discussion would be helpful or if questions arise regarding this Petition, the Request for Continued Examination, or any other aspect of the case, please do not hesitate to contact the undersigned at (617) 248-5071.

SPECIAL PROCEDURES SUBMISSION

Please charge the petition fee indicated in 37 C.F.R. § 1.17(h) and any other fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,



Monica R. Gerber, M.D., Ph.D.
Registration Number 46,724

Choate, Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000
Dated: April 5, 2004.

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